

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 36113

STATE OF IDAHO,)	2009 Unpublished Opinion No. 557
)	
Plaintiff-Respondent,)	Filed: August 5, 2009
)	
v.)	Stephen W. Kenyon, Clerk
)	
ROGER ELIN VENTURA,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Cassia County. Hon. Michael R. Crabtree, District Judge.

Judgment of conviction and unified sentence of twenty years, with a minimum period of confinement of ten years, for lewd conduct with a child under the age of sixteen years, affirmed.

Molly J. Huskey, State Appellate Public Defender; Eric D. Fredericksen, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge; PERRY, Judge;
and GUTIERREZ, Judge

PER CURIAM

Roger Elin Ventura pled guilty to lewd conduct with a child under the age of sixteen years. I.C. § 18-1508. The district court sentenced Ventura to a unified term of twenty years, with a minimum period of confinement of ten years, to run concurrent with another unrelated sentence. Ventura also filed an I.C.R. 35 motion for reduction of his sentence, which the district court denied. Ventura appeals, challenging the excessiveness of his sentence.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-

15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Ventura's judgment of conviction and sentence are affirmed.